

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA**

DALE A. KAYMARK, individually and on
behalf of other similarly situated current and
former homeowners in Pennsylvania,

Plaintiffs,

v.

BANK OF AMERICA, N.A. and UDREN
LAW OFFICES, P.C.

Defendants.

Civil Action #2:13-cv-00419-CRE

**MOTION FOR LEAVE TO FILE SUR-REPLY IN OPPOSITION TO RENEWED
MOTION TO DISMISS**

And now comes the Plaintiff, Dale A. Kaymark (“Mr. Kaymark”), individually and on behalf of other similarly situated former and current homeowners in Pennsylvania, and makes this his Motion for Leave to file a Sur-Reply in Opposition to Udren’s Renewed Motion to Dismiss.

1. On May 9, 2016, Udren filed a Renewed Motion to Dismiss. See Document 75.
2. Mr. Kaymark filed his response in opposition to Udren’s Renewed Motion to Dismiss on May 31, 2016. See Document 79.
3. Thereafter, on June 10, 2016, Udren filed a Reply in further support of its Renewed Motion to Dismiss. See Document 81.
4. The systemic Fair Debt Collection Practices Act issues raised are complicated, as evidenced by the filings on this issue.
5. Mr. Kaymark respectfully requests leave to file a short, 5 page sur-reply to address the few issues that Udren raises in its reply that he had not fully addressed.

Wherefore, for the reasons stated above, it is requested that Mr. Kaymark's attached Sur-Reply in Opposition to Udren's Renewed Motion to Dismiss. A proposed Order is attached hereto.

Respectfully Submitted,
MICHAEL P. MALAKOFF, P.C.
/s/Michael P. Malakoff

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*Attorneys for Named Plaintiff Dale A.
Kaymark, individually and on behalf of
other similarly situated former and current
homeowners in Pennsylvania*

CERTIFICATE OF SERVICE

I hereby certify that on the **16th** day of **June, 2016**, a true and correct copy of the foregoing **Motion for Leave to File Sur-Reply** was served upon the following parties of interest via the Court's Electronic Filing System:

Jonathan J. Bart, Esquire
WILENTZ GOLDMAN & SPITZER, PA
Two Penn Center, Suite 910
Philadelphia, PA 19102

/s/Michael P. Malakoff

Michael P. Malakoff, Esquire